

REMARKS

In the office action mailed June 1, 2007, claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent number 5,966,714 to Huang et al. in view of U.S. patent number 7,035,878 to Multer, et al. On pages 3-11 of the office action, the Examiner ostensibly justified how the combination of *Huang* and *Multer* discloses the limitations of each of claims 1-20.

The claim rejections were made final. This amendment is therefore made under the provisions of 37 C.F.R. §1.116. The amendments were not earlier presented for the reason the new grounds of rejection set forth in the final office action.

In response to the office action, independent claims 1 and 15 have been amended to avoid *Huang* and *Multer*. More particularly, independent claims 1 and 15 have been amended such that no reference or combination of references shows or suggests the apparatus and methods that are now claimed by the applicant in the pending claims. The claim rejections are thus traversed.

Paraphrased, the claims have been amended to recite that a mobile-copy database and a network-copy database are both “asynchronously updateable” vis-à-vis each other. The claims also recite that the two databases are synchronized to each other, more than once.

More importantly, the independent claims have been amended to recite that after a synchronization session takes place, all changes that are subsequently made to a database are included in a “change list” that is maintained where the changed database is kept. The claims also now recite that the “change-list coordinator” excludes from the change list, various changes that are determined by the change-list coordinator to be redundant. Put another way, the claims now recite that a complete history of all database changes is made, but that redundant changes are precluded or deleted from the change list such that unnecessary database changes are not made to the other copy of the database that will be synchronized to the changed copy.

No new matter has been added by the amendments.

Support for the amendments can be found in paragraph [0036], which states that the database copies are “asynchronously updateable” and that they can fall out of synchronization with each other. Paragraph [0036] also states that when one of the two databases becomes unsynchronized vis-à-vis the other copy, the data at the other one of the databases is updated in order to bring the two databases into synchronization with each other. Paragraph [0036] thus makes it clear that synchronization sessions between the mobile copy and network copy occur more often than once.

Paragraph [0019], as well as others, clearly states that the change list indicates changes to all of the data stored in a database. Paragraph [0024] states that the, “change-list coordinator” combines the *history* of database changes, such that the history does not contain redundant changes. Paragraph [0021] states that, “multiple changes to a database record are combined into a single, resultant change listing.” Paragraph [0038] states that a entries of the change list are “each representative of changes made to a record of a database.” In addition to the foregoing, it necessarily follows that if the “history” of database changes was not a complete history that there would be no need to exclude redundant entries. It is worth noting too, that nothing in the application states that all database changes are not recorded in the change list.

Referring now to the office action, on line 7 of page 12, the Examiner stated that, “Huang merely teaches truncating a log so that a *traditional log of all* activities... is avoided.” (Emphasis in original.) On lines 12-13 of page 12, the Examiner acknowledged a second time that *Huang* does not teach keeping a log of all changes but rather teaches keeping a log of only recent changes to a database. The Examiner thus clearly acknowledges that *Huang* does not show or suggest keeping a history of all changes to a database, as the amended claims now expressly require. Using the Examiner’s own characterization of *Huang*, Huang clearly teaches away from what is now recited in the amended claims.

Application No. 10/775,825
Amendment dated October 12, 2007
Reply to Office Action of June 1, 2007

Moreover, nobody of ordinary skill in the art, who considered *Huang* as a prior art reference, would ever consider keeping a complete history of all database changes as the amended claims now require, followed by the subsequent filtering or exclusion of redundant changes as the amended claims now require. The amended claims are thus non-obvious under 35 U.S.C. §103(a) and in condition for allowance.

As the Examiner knows, controlling Federal Circuit case law and MPEP §706.02(j) both require that when claims are rejected under 35 U.S.C. §103(a) as being obvious because of a combination of references, the prior references must teach or suggest *all* of a claim's limitations. Since neither *Huang* nor *Multer* teach what the amended claims now require, the claims are in condition for allowance under §103(a). Unless the Examiner intends to ignore controlling case law and the MPEP, the amended claims must be allowed to issue.

Respectfully submitted,
/ Robert H. Kelly/

Robert H. Kelly
Registration No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com